



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

June 19, 2012

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

**APPROVE AN EXTENSION AGREEMENT WITH THE LOS ANGELES
COUNTY BAR ASSOCIATION FOR COUNTYWIDE ADULT INDIGENT
CRIMINAL DEFENSE APPOINTMENT PROGRAM SERVICES
(ALL AFFECTED) (3 VOTES)**

SUBJECT

The Chief Executive Office is requesting an extension of the Countywide Indigent Criminal Defense Agreement with the Los Angeles County Bar Association for a period of one year with an option to extend the Agreement for up to an additional period of one year to allow indigent defendants to continue receiving quality representation. This extension period will enable the Chief Executive Office to complete the solicitation and negotiation process for a new agreement and to determine the transition process, if necessary, after the Board awards the new agreement.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve and delegate authority to the Chief Executive Officer to execute the attached amendment to the Countywide Indigent Criminal Defense Agreement to extend the term of the Agreement with the Los Angeles County Bar Association for a period of one year from July 1, 2012 through June 30, 2013, for the continued administration and coordination of a cost-effective program for criminal defense services for clients when the Public Defender and Alternate Public Defender are unable to provide representation because of a conflict of interest or other lawful unavailability.

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

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2. Delegate authority to the Chief Executive Officer, or his designee, to terminate the Agreement earlier, in whole or in part if necessary, with a 90-day advance written notice to the Los Angeles County Bar Association once the Chief Executive Office has completed its solicitation and negotiation process for a new agreement and determined the necessary transition process, if applicable.
3. Delegate authority to the Chief Executive Officer, or his designee, to execute an amendment to the Agreement, if necessary, to exercise the option term and extend the term of the Agreement for an additional period of one year from July 1, 2013 to June 30, 2014, following approval as to form by County Counsel.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of this request is to extend the terms of the current Agreement for a period of one year from July 1, 2012 through June 30, 2013, with an optional one-year extension period for the representation of indigent defendants when the Public Defender (PD) and Alternate Public Defender (APD) are unavailable. The current Agreement with the Los Angeles County Bar Association (LACBA) will expire on June 30, 2012, and the attached proposed amendment will ensure continuation of these services.

Implementation of Strategic Plan Goals

This public/private partnership between the County and LACBA supports Strategic Plan Goal 1 - Operational Effectiveness: Maximize the effectiveness of processes, structure, and operations to support timely delivery of customer-oriented and efficient public services; and Goal 3 - Integrated Services Delivery: Maximize opportunities to measurably improve client and community outcomes and leverage resources through the continuous integration of health, community, and public safety services.

FISCAL IMPACT/FINANCING

The annual contract amount for this Agreement is \$600,000. The amendment results in no additional net County cost. Funding for the Indigent Criminal Defense Appointments (ICDA) program is within the Trial Court Operations existing budget. Under the Lockyer-Isenberg Trial Court Funding Act of 1997, the County is responsible for criminal indigent defense costs.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The Chief Executive Office (CEO) is in the process of developing a Request for Proposal to solicit a new agreement with a vendor to provide court appointed attorneys for the representation of indigent defendants when the PD and APD are unavailable. Once the solicitation process and negotiations have been completed, the CEO will return to the Board to award the new agreement and provide for a transition period, if necessary.

The CEO seeks delegated authority to terminate the Agreement early, if necessary, upon the completion of the new solicitation for services, and to execute the option term extension if necessary, for the period from July 1, 2013 through June 30, 2014.

County Counsel has approved the attached Amendment as to form.

IMPACT ON CURRENT SERVICES

Approval of these actions will ensure uninterrupted services when PD and APD are unable to represent their defendant(s) because of a conflict of interest or other lawful unavailability.

CONCLUSION

Instruct the Executive Office/Clerk of the Board to return one adopted Board letter to the CEO.

Respectfully submitted,



WILLIAM T FUJIOKA
Chief Executive Officer

WTF:GM:SW:VC:cc

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Alternate Public Defender
Public Defender

**LOS ANGELES COUNTY BAR ASSOCIATION
INDIGENT CRIMINAL DEFENSE APPOINTMENT PROGRAM
COUNTY-WIDE INDIGENT DEFENSE SERVICES
SYN #58 OF 11/10/98**

**AMENDMENT FOR CONTRACT EXTENSION
FROM JULY 1, 2012 THROUGH JUNE 30, 2013**

This Amendment to the County-Wide Indigent Defense Agreement ("Agreement") is entered into by and between the County of Los Angeles ("County") and the Los Angeles County Bar Association ("LACBA"), effective upon execution by both parties.

Whereas, on November 10, 1998, the County Board of Supervisors approved the Agreement for the Los Angeles County Bar Association's Indigent Criminal Defense Appointment ("ICDA") program; and

Whereas, said Agreement provides for the administration and coordination of a cost-effective program for criminal defense services for clients when the Public Defender and Alternate Public Defender are unable to represent because of a conflict of interest or other lawful unavailability; and

Whereas, on May 31, 2011, the County Board of Supervisors approved an extension of the Agreement for a period of one (1) year from July 1, 2011 through June 30, 2012; and

Whereas, County and LACBA agree to extend the term of the Agreement for an additional period of one (1) year from July 1, 2012 through June 30, 2013.

NOW THEREFORE, in consideration of the mutual covenants contained herein, and for good and valuable consideration, County and LACBA hereby agree as follows:

1. Pursuant to Paragraph 8 of the Agreement, the parties mutually agree to extend the term of the Agreement for an additional period of one (1) year from July 1, 2012 through June 30, 2013 on the same terms and conditions set forth in the Agreement and all subsequent contract amendments.

All other terms and conditions of the Agreement shall remain the same and in full force and effect.

**LOS ANGELES COUNTY BAR ASSOCIATION
INDIGENT CRIMINAL DEFENSE APPOINTMENT PROGRAM
COUNTY-WIDE INDIGENT DEFENSE SERVICES
SYN #58 OF 11/10/98**

**AMENDMENT FOR CONTRACT EXTENSION
FROM JULY 1, 2012 THROUGH JUNE 30, 2013**

The Los Angeles County Bar Association has caused this Amendment to be executed by its duly authorized representative, and the County of Los Angeles, by order of its Board of Supervisors, has caused this Amendment to be executed on its behalf by the Chief Executive Officer, on the dates written below.

LOS ANGELES COUNTY
BAR ASSOCIATION

By: W. Clark Brown
W. Clark Brown
General Counsel

Date: 4/4/12

COUNTY OF LOS ANGELES

By: William T. Fujioka
WILLIAM T FUJIOKA
Chief Executive Officer

Date: _____

APPROVED AS TO FORM:
JOHN F. KRATTLI
Acting County Counsel

By: Michele Jackson
Deputy County Counsel